

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA	§	
	§	
VS.	§	CRIMINAL ACTION NO. C-07-688
	§	
GABRIEL VIEGRA-HUERTA; aka ANGEL	§	
CLEINE-GARCIA		

**AMENDED ORDER ON DEFENDANT’S UNOPPOSED  
MOTION FOR A PSYCHIATRIC EXAMINATION**

Counsel for the defendant GABRIEL VIEGRA-HUERTA (“Mr. Viegro”) moved this Court to order a competency evaluation. The government is unopposed to the motion. Defense counsel requested that Mr. Viegro be transported to an appropriate Bureau of Prisons facility for an examination of his mental health, competency, and sanity. THEREFORE, IT IS ORDERED, pursuant to Title 18, United States Code, 4241 et seq., that the defendant, GABRIEL VIEGRA-HUERTA be committed to the custody of the Attorney General for placement in an appropriate facility, for a period not to exceed thirty (30) days, for an examination by a psychiatrist or licensed clinical psychologist and other necessary medical authorities pursuant to this Order. The thirty day (30) period of evaluation shall not commence until the defendant’s arrival at the facility.

The psychiatrist or clinical psychologist and other medical authorities shall determine whether there is reasonable cause to believe that the defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to

understand the nature and consequences of the proceedings against him or to assist the preparation of his defense. Further, the authorities shall determine whether, at the time of the alleged offense, the Defendant as a result of a severe mental disease or defect, was unable to appreciate the nature and quality of the wrongfulness of his acts pursuant to 18 U.S.C. § 17(a).


IT IS FURTHER ORDERED that, pursuant to Title 18, United States Code, 4247(c), the psychiatrist or clinical psychologist and other medical authorities shall prepare and submit to this Court, with copies provided to the counsel for the defendant and to the attorney for the Government, a report that shall include:

- (1) The defendant's history and present symptoms;
- (2) A description of the psychiatric, psychological, and medical tests that were employed and their results;
- (3) The examiner's findings;
- (4) The examiner's opinions as to diagnosis and prognosis;
- (5) Whether the defendant is suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to properly assist the preparation of his defense; and
- (6) Whether, at the time of the alleged offense, the defendant as a result of a severe mental disease or defect, was unable to appreciate the nature and quality of the wrongfulness of his acts

The United States Marshal's Service is ORDERED to transport the defendant by the most direct means possible to the facilities designated by the United States Bureau of Prisons pursuant

to this Order and return him therefrom as directed by the Court for any necessary proceedings pursuant to Title 18, United States Code, 4241, et. seq.

SIGNED and ORDERED this 29th day of January, 2008.

  
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Janis Graham Jack  
United States District Judge